



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL “*Bad Company*” with WA Registration # WN1516SY”

The Port of Bremerton declared the vessel *Bad Company*, a 32’ 1965 TRJ Cabin Mtr Boat/ Wood, and registration # WN1516SY, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The Port of Bremerton took temporary possession of the vessel and had it removed from the Water Street Boat Launch, 551 Bay St., Port Orchard, WA 98366, Kitsap County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment, as well as imminent danger to Port of Bremerton infrastructure.

The Port of Bremerton intends to take formal and full custody of the vessel on **November 27, 2021 (Custody Date)**. After taking custody, the Port of Bremerton may use or dispose of it without further notice. The owner is responsible for all related costs.

In order to keep the vessel, the owner must take the following actions before the Custody Date:

- Pay the Port of Bremerton back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after the Port of Bremerton has custody or wants to challenge the Port of Bremerton’s decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the Port of Bremerton. Addresses are in the boxes below:

Pollution Control Hearings Board (send one original and one copy) Physical address: 1111 Israel Road Tumwater, WA 98501 Mailing address: PO Box 40903 Olympia, WA 98504-0903 Phone: 360-664-9160	Port of Bremerton 8850 SW State Hwy 3 Bremerton, WA 98312-4983
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The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement of why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See <http://www.eluho.wa.gov/Board/PCHB> or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **December 28, 2021 (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by the Port of Bremerton in responding to the vessel.** These costs may include all administrative costs incurred by **the Port of Bremerton**, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys’ fees and costs.

The Port of Bremerton also may pursue any other remedies available under law. The Port of Bremerton is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at

<http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>, or by contacting the Port of Bremerton. **For more information regarding this action, contact the Port of Bremerton's Derelict Vessel Removal Program at (360) 813-0825.**

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